

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GLEN BOLDEN,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-10-761-D
)	
)	
WARDEN-FCI EL RENO,)	
)	
Respondent.)	

ORDER

Petitioner, a federal prisoner appearing *pro se*, brought this action for a writ of habeas corpus. In accordance with 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Robert E. Bacharach for initial proceedings. Respondent filed a motion to dismiss; Petitioner did not respond to that motion.

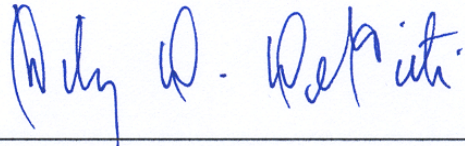
On October 29, 2010, Judge Bacharach filed a Report and Recommendation [Doc. No. 13] in which he recommended the Court grant the motion to dismiss because the Petition is facially deficient. However, he also recommended the Court allow Petitioner an opportunity to amend the Petition to cure the pleading deficiencies explained in the Report and Recommendation.

In the Report and Recommendation, the Magistrate Judge expressly advised the parties of their right to object to the Report and Recommendation, and he scheduled a November 15, 2010 deadline for filing objections. The Magistrate Judge also cautioned the parties that failure to timely object would constitute a waiver of the right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation. To date, the parties have not filed objections or sought extensions of time in which to do so. Accordingly, the Report and

Recommendation [Doc. No.13] is adopted as though fully set forth herein.

For the reasons set forth in the Report and Recommendation, the Petition is dismissed. Petitioner is granted leave to file an Amended Petition, no later than 21 days following the date of this Order, to cure the pleading deficiencies noted in the Report and Recommendation.

IT IS SO ORDERED this 23rd day of November, 2010.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE

